

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

IN RE:	§	
	§	
CENGIZ J. COMU	§	
	§	
Debtor.	§	
_____	§	Case No. 3:14-CV-04163-B
	§	(Bankruptcy Appeal)
CENGIZ J. COMU	§	
	§	
v.	§	
	§	
KING LOUIE MINING, LLC, ET AL	§	

**APPELLANT'S MOTION TO SUPPLEMENT RECORD ON APPEAL**

TO THE HONORABLE JANE J. BOYLE,  
UNITED STATES DISTRICT JUDGE

NOW COMES CJ Comu, Appellant, by and through his attorney of record on this appeal, and files his Motion to Supplement Record on Appeal and in support thereof would respectfully show the Court as follows:

1. The record on appeal in this Court was docketed on November 21, 2014, deficient in that the exhibits that were admitted in the bankruptcy court trial were not included in the record transmitted to this Court.

2. Counsel for the parties to the appeal desire to supplement the record on appeal to include all of the admitted exhibits.

3. The attorneys for the Appellant and the Appellee Trustee have conferred in an effort to find an efficient means of getting the admitted exhibits into electronic form and numbered by page, for inclusion in the record in this Court, however, 366 of the 473 admitted exhibits were designated by the Plaintiff, and not all of the Plaintiff's designated exhibits were

offered or admitted.

4. Counsel for Appellant and the Appellee Trustee attempted to confer with the lead attorney for the Plaintiff in the trial in the bankruptcy court, Kendyl Hanks, to obtain just the 366 admitted exhibits in electronic form with numbered pages, but she has been out of the office for an extended period due to medical reasons, and while her staff expects her to return to work soon, her office is unable to give an exact date she will be in the office.

5. Counsel for the Appellant and the Appellee Trustee believe that the exhibits can be properly transmitted to this Court within thirty (30) days.

6. Accordingly, Appellant respectfully requests this Court enter its Order authorizing the parties to the appeal to supplement the record on appeal by submitting in electronic form, numbered by page, all the admitted exhibits in the trial below within thirty (30) days of entry of the Order.

7. Counsel for the Appellee Trustee does not oppose this Motion.

WHEREFORE, PREMISES CONSIDERED, Appellant prays that the Court will enter an Order granting Appellant thirty (30) days to supplement the record on appeal by submitting in electronic form, numbered by page, of all the exhibits admitted in the trial below.

Respectfully submitted,

OLSON NICOUD & GUECK, L.L.P.  
1201 Main Street, Suite 2470  
Dallas, Texas 75202  
(214) 979-7300 - Telephone  
(214) 979-7301 - Facsimile  
Email: [denniso@dallas-law.com](mailto:denniso@dallas-law.com)

By: /s/ Dennis Olson  
Dennis Olson  
State Bar No. 15273500

ATTORNEYS FOR CJ COMU  
APPELLANT

**CERTIFICATE OF CONFERENCE**

I certify that on December 11, 2014, I spoke with David Elmquist, attorney for the Appellee Trustee, concerning this Motion, and he is unopposed to the Motion. Calls left for Kendyl Hanks and Victor Vital, the attorneys for the Appellee Plaintiff, were not returned before this Motion was filed, but I do not anticipate any opposition to the Motion.

/s/ Dennis Olson  
Dennis Olson

**CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing Appellant's Motion to Supplement Record on Appeal was served upon all persons receiving notice electronically, on the 11th day of December, 2014.

/s/ Dennis Olson  
Dennis Olson